

NOTICES

GOVERNOR'S OFFICE

Regulatory Agenda

Executive Order 1996-1 requires all agencies under the jurisdiction of the Governor to submit for publication semi-annually an agenda of regulations under development or consideration.

The agendas are compiled to provide members of the regulated community advanced notice of regulatory activity. It is the intention of the Administration that these agendas will serve to increase public participation in the regulatory process.

Agency contacts should be contacted for more information regarding the regulation and the procedure for submitting comments.

This Agenda represents the Administration's present intentions regarding future regulations. The information provided is current as of March, 2021. The nature and complexity of an individual regulation obviously will determine whether and when any particular regulation listed (as well as any considered subsequent to publication of this Agenda) is published.

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<i>Department of Aging</i>			
Older Adult Daily Living Centers 6 Pa. Code Chapter 11	Spring 2021, as Proposed	The purpose of 6 Pa. Code Chapter 11 is to protect the health, safety and well-being of persons with functional impairments for the licensure and operation of Older Adult Daily Living Centers (OADLC). These regulations—the statutory authority for which is found in Act 118 of 1990 and in 62 P.S. Chapter 2 § 1511—were adopted on July 2, 1993 and effective October 12, 1993. The Pennsylvania Department of Aging is responsible for the enforcement of these regulations. OADLC services provide a structured program of services to clients who require the service along with valuable respite to caregivers. The proposed rulemaking would update the existing regulatory language to address changes in other statutes, regulations, codes, ordinances, and other professional standards and practices, along with addressing the increasing frailty of clients served in OADLC.	Barb Valaw (717) 787-4522
Pennsylvania Community Adult Respite Services Program Act 166 of 2014	Spring 2021, as Proposed	Act 166 of 2014 (P.L. 2615, Oct. 22, 2014, No. 166) created a new program called the Pennsylvania Community Adult Respite Services Program (CARP), authorizing the Department of Aging to license and inspect community adult respite services programs that serve participants with minor functional impairments. The purpose of the proposed rulemaking is to provide guidance to persons wishing to provide community adult respite services to eligible persons for part of a 24-hour day, filling a niche between senior centers and older adult daily living centers, as required by Act 166 of 2014.	Barb Valaw (717) 787-4522

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
<i>Department of Agriculture</i>			
Agricultural Conservation Easement Purchase Program 7 Pa. Code Chapter 138e (# 2-192)	August 2021, as Proposed. The underlying statute has been amended, which will entail a delay and rewrite of the proposed regulation.	The regulation will revise the regulation to address the five amendments of the Agricultural Area Security Law that occurred since 2004, when the regulation was last revised. The revision will accomplish a “housekeeping” update to reflect the Department’s experience in administering the Agricultural Conservation Easement purchase program.	Doug Wolfgang (717) 783-3167
Milk Sanitation 7 Pa. Code Chapter 59a (# 2-194)	August 2021, as Proposed	The regulation will: 1) accomplish a “housekeeping” update to the technical Milk Sanitation regulations; 2) allow for the lawful production and sale of raw milk butter; and 3) lower the maximum permissible somatic cell count for milk.	Sheri Morris (717) 787-4315
State Food Purchase Program 7 Pa. Code Chapter 160 (# 2-195)	April 2021, as Proposed	This regulation will increase the income threshold cap for the Program from the current 150% of the poverty level established by the USDA to 185%.	Caryn Long Earl (717) 772-2688
<i>Department of Banking and Securities (DOBS)</i>			
Promulgation of agency rules of administrative practice and procedure, to be added to Title 10, Part I	Spring 2021, as Proposed	The Department currently uses the General Rules of Administrative Practice and Procedure (“GRAAP”), which contemplate that an agency may promulgate its own rules. 1 Pa. Code § 31.1(c). The agency desires to enact rules more suited to its statutory requirements.	Stefanie Hamilton (717) 787-1471
Final omitted rulemaking for changes to regulations under the Banking Code of 1965— Title 10	Spring 2021, with omission of notice of proposed rule-making under 45 P.S. § 1204	The Department will be pursuing a final omitted rulemaking to delete portions of Title 10 that have been preempted or rendered moot by either State or Federal law.	Stefanie Hamilton (717) 787-1471
<i>Department of Community and Economic Development (DCED)</i>			
No regulations being developed or considered at this time.			
<i>Department of Conservation and Natural Resources (DCNR)</i>			
DCNR Plant Regulations Update 17 Pa. Code Chapter 45	Fall 2021/Winter 2022	This rulemaking proposes to amend 17 Pa. Code Chapter 45 by doing the following: 1) updating the classification lists of native wild plants; and 2) updating the scientific and common names of certain native wild plants. Regarding updates to the classification lists of native wild plants, this rulemaking proposes to amend the following classification lists: Pennsylvania Extirpated (§ 45.11); Pennsylvania Endangered (§ 45.12); Pennsylvania Threatened (§ 45.13); Pennsylvania Rare (§ 45.14); and Tentatively Undetermined (§ 45.21). This rulemaking proposes to amend the classification lists in the following ways: 1) adding plants that are currently unclassified, to a classification list; 2) reclassifying plants already on a classification list, to a new classification; and 3) removing plants from the classification lists altogether (declassifying them).	Rebecca Bowen (717) 772-0258 Lisa Maiorana, Esq. (717) 783-0139

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<i>Department of Corrections (DOC)</i>			
Inmate Correspondence 37 Pa. Code § 93.2	Fall 2021, as Proposed	Inmate correspondence regulations are being revised to reflect new DOC procedures for processing mail.	Tracey Tubbs (717) 728-7763
Inmate Visiting Privileges 37 Pa. Code § 93.3	Fall 2021, as Proposed	Inmate visiting privileges regulations are being revised to reflect DOC changes to its visiting policy.	Tracey Tubbs (717) 728-7763
Purchase for Inmates by Family and Friends 37 Pa. Code § 93.4	Fall 2021, as Proposed	Purchase for inmates by family and friends regulations are being revised for clarification and to more accurately comport with current standards.	Tracey Tubbs (717) 728-7763
<i>Department of Drug and Alcohol Programs (DDAP)</i>			
Recovery House Regulations 28 Pa. Code Chapter 709, Subchapter L (new)	Summer 2021, as Final-Omitted	Act 59 of 2017 directs DDAP to establish regulations for recovery houses that receive public funds or referrals. Recovery houses provide support to individuals receiving outpatient treatment for substance use disorder who may benefit from supportive housing, a substance-free environment and peer camaraderie. Preparation of the final-omitted regulatory package is completed; regulatory package presented to Governor's Office for review pursuant to E.O. 1996-1, Sec. 4.	Jordan Lewis (717) 736-7466
<i>Department of Education (PDE)</i>			
Regulations of the State Board of Private Academic Schools 22 Pa. Code Chapters 51, 53, 55, 57, 59, 61 and 63	Spring 2021, as Proposed	These regulations define the requirements for obtaining licensure as a Private Academic School. The Board is in the process of updating the regulations, which were promulgated in 1988. The regulations are promulgated under the authority of the Private Academic Schools Act (24 P.S. §§ 6701 et. seq.).	Matthew Stem (717) 787-2127
Professional Standards and Practices Commission 22 Pa. Code Chapter 235	Spring 2021, as Final	This chapter sets forth the standards for professional practice and conduct applicable to educators. The regulation updates this chapter to conform to the 2014 amendments to the Educator Discipline Act (24 P.S. §§ 2070.1a et seq.) and to expound the obligations educators owe to students, colleagues and the profession, with an emphasis on appropriate student-teacher boundaries, electronic communications with students and role model responsibilities. The regulation is promulgated under the authority of sections 5(a)(10) and 5(a)(14) of the Educator Discipline Act (24 P.S. § 2070.5(a)(10) and § 2070.5(a)(14)).	Shane Crosby (717) 787-6576
Department of Education	Spring 2021, as Proposed	These regulations will address the possession and use of medical marijuana by students and employees on the grounds of a preschool, primary school and a secondary school. These regulations are promulgated under authority of the Medical Marijuana Act (2016 Pa. Laws 16).	Sherri Smith (717) 772-4557
Department of Education	Spring 2021, as Proposed	This regulation will establish the permanent fees for institutions of higher education to participate in the state authorization reciprocity agreement. These regulations are promulgated under authority granted by the Act 35 of 2016 (24 P.S. § 1-124(b)).	Lynette Kuhn (717) 783-8228

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Regulations of the State Board of Private Licensed Schools 22 Pa. Code Chapter 73	Summer 2021, as Proposed	These regulations define the requirements for obtaining and maintaining licensure as a Private Licensed School and set outcomes benchmarks. The regulations are promulgated under the authority of the Private Licensed Schools Act (24 P.S. §§ 6501 et. seq.).	Lynette Kuhn (717) 783-8228
Regulations of Special Education Services and Programs 22 Pa. Code Chapter 14	Spring 2021, as Final-Omitted	This regulation supports Pennsylvania's people with an intellectual disability by updating the language in 22 Pa. Code relating to education by replacing the terms "mentally retarded" and "mental retardation" with the terms "intellectual disability" or "intellectual disabilities." The regulation is promulgated under the authority of Sections 502, 1372, 26-2603-B, of the Public School Code of 1949, as amended, 24 P.S. Sections 5-502, 13-1372, 26-2603-B. Sections 875-101 through 875-503 of the Early Intervention Services System Act, as amended, 11 P.S. Sections 875-101 through 875-503.	Karen Molchanow (717) 787-3787
Regulations of Charter School and Cyber Charter School Services and Programs for Children with Disabilities 22 Pa. Code Chapter 711	Spring 2021, as Final-Omitted	This regulation supports Pennsylvania's people with an intellectual disability by updating the language in 22 Pa. Code relating to education by replacing the terms "mentally retarded" and "mental retardation" with the terms "intellectual disability" or "intellectual disabilities." The regulation is promulgated under the authority of Sections 1701-A through 1732-A, 1749-A(b)(8), 1751-A, of the Public School Code of 1949, as amended, 24 P.S. §§ 17-1701-A through 17-1732-A, 17-1749-A(b)(8), 17-1751-A and §§ 875-101 through 875-503 of the Early Intervention Services System Act, as amended, 11 P.S. §§ 875-101 through 875-503.	Sherri Smith (717) 772-4557
State Board of Education 22 Pa. Code Chapter 49	Spring 2021, as Final	These regulations establish requirements for certification of professional personnel employed in the public schools of the Commonwealth. The regulations are undergoing a required major review. In July 2020, the Board approved proposed revisions to the Chapter that were informed by stakeholder input gathered through Statewide public hearings and written comments. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P.S. § 2603-B.	Karen Molchanow (717) 787-3787
State Board of Education 22 Pa. Code Chapter 4	Summer 2021, as Final	These regulations update the Commonwealth's current academic standards for Science and Technology and Environment and Ecology to establish new academic standards that are in line with contemporary research on learning and teaching science. At the same time, the Board is making technical updates to Chapter 4 to align relevant sections of the regulation with changes to high school graduation requirements enacted by Act 158 of 2018 and will update terminology to replace references to vocational-technical education with the	Karen Molchanow (717) 787-3787

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		more appropriate term Career and Technical Education. The regulations are promulgated under the authority of Public School Code of 1949, 24 P.S. § 26-2604-B(b)(vii).	
State Board of Education 22 Pa. Code Chapter 11	Summer 2021, as Final-Omitted	The Board will make technical updates to Chapter 11 to align relevant sections of the regulation with the changes to the compulsory school age that were enacted by Act 16 of 2019.	Karen Molchanow (717) 787-3787
Department of Education	Spring 2021, as Proposed	The Department will promulgate new regulations to ensure transparency and accountability in implementation of the Charter School Law related to the establishment of a charter school entity, the governance and operation of a charter school entity, and the closure of a charter school entity. The regulations are promulgated under the authority of the Public School Code of 1949, 24 P.S. §§ 17-1732-A(c) and 17-1751-A.	Adam Schott (717) 525-5755
<i>Environmental Hearing Board (EHB)</i>			
Practice and Procedure 25 Pa. Code Chapter 1021 (# 106-13)	Winter/Spring 2021, as Proposed	The rulemaking proposes to amend the Board's rules in the following categories: motions for admission pro hac vice; petitions to appeal nunc pro tunc; the requirement of a table of contents in briefs exceeding 30 pages and in prehearing memoranda; and other minor corrections to the rules. The Board plans to submit the proposed rulemaking to IRRC and the Legislative Committees in February 2021.	Maryanne Wesdock, Senior Assistant Counsel (412) 565-5245
<i>Department of Environmental Protection (DEP)</i>			
Water Supply Replacement for Coal Surface Mining 25 Pa. Code Chapters 87—90 (# 7-545)	Quarter 1, 2021, IRRC Consideration, as Final	This rulemaking revises Chapters 87—90, to clarify what is necessary to meet the coal mine operator's obligation to permanently pay the operation and maintenance costs for replacement water supplies. (Surface Mining Conservation and Reclamation Act)	Sharon Hill (717) 787-6842 shill@pa.gov
Noncoal Mining Clarifications and Corrections 25 Pa. Code Chapter 77 (# 7-554)	Quarter 1, 2021, Publication, as Proposed	This rulemaking proposes to clarify and correct existing regulatory requirements for noncoal mining. The rulemaking also proposes to update the blasting section to be consistent with the recently revised Chapter 211 and to reflect current technology. (Noncoal Surface Mining Conservation and Reclamation Act, Clean Streams Law)	Bill Allen (717) 783-9580 wallen@pa.gov
Coal Refuse Disposal Revisions 25 Pa. Code Chapter 90 (# 7-565)	Quarter 2, 2021, EQB Consideration, as Proposed	This rulemaking proposes to implement Act 74 of 2019. Proposed regulatory amendments will include clarification of the triggering events that would require an operator to install a system to prevent precipitation from contacting the coal refuse; differences between the State and Federal regulations relating to temporary cessation; and establish a connection between the disposal area and the source of the refuse. (Surface Mining Conservation and Reclamation Act, Clean Streams Law, Coal Refuse Disposal Control Act)	Greg Greenfield (717) 787-3174 grgreenfie@pa.gov

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Environmental Protection Performance Standards for Conventional Oil and Gas Operators 25 Pa. Code Chapter 78 (# 7-539)	Quarter 4, 2021, EQB Consideration, as Proposed	This rulemaking proposes to amend the Oil and Gas regulations applicable to conventional operators (Chapter 78) to update the environmental protection performance standards related to oil and gas activities. (2012 Oil and Gas Act, Clean Streams Law, Solid Waste Management Act, Dam Safety Encroachment Act, Land Recycling and Environmental Remediation Standards Act, Radiation Protection Act, Unconventional Well Report Act, Act 126 of 2014)	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov
Waste Management and Related Issues at Conventional Oil and Gas Well Sites 25 Pa. Code Chapter 78 (# 7-540)	Quarter 4, 2021, EQB Consideration, as Proposed	This proposed rulemaking relates primarily to the proper management of waste generated at conventional oil and gas well sites. The purpose of this regulation is to update the performance standards for surface activities at conventional well sites to ensure that these activities are conducted in a manner that protects the health, safety, and environment and property of Pennsylvania's residents.	Kurt Klapkowski (717) 772-2199 kklapkowski@pa.gov
Administration of the Land Recycling Program 25 Pa. Code Chapter 250 (# 7-552)	Quarter 2, 2021, EQB Consideration, as Final	The rulemaking proposes to amend 25 Pa. Code Chapter 250 to update the medium specific concentrations (MSCs) established under the Statewide health standard based on the most recent published scientific information. MSCs are concentrations of contaminants in soil and groundwater that are protective of human health and the environment under various exposure scenarios. This rule also proposes to add MSCs for three new contaminants, including Perfluorooctanoic Acid (PFOA), Perfluorooctance Sulfonate (PFOS) and Perfluorobutane Sulfonate (PFBS). These contaminants are within the Per- and Poly-fluoroalkyl Acid (PFAS) family of compounds for which the U.S. Environmental Protection Agency (EPA) has published toxicological data. These regulations identify the formulas DEP must use to calculate MSCs and the sources of the toxicological information. This rulemaking also proposes to clarify administrative elements of Chapter 250. DEP is required by § 250.11 to propose appropriate MSC changes based on current scientific information no more than 36 months after the effective date of the most recently promulgated MSCs. (Land Recycling and Environmental Remediation Standards Act)	Troy Conrad (717) 783-9480 tconrad@pa.gov
Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices 25 Pa. Code Chapters 227 and 228 (# 7-555)	Quarter 1, 2021, EQB Consideration, as Proposed	This rulemaking proposes to update Chapter 227 to stay current with advances that have occurred in the uses of non-medical X-ray equipment. The revisions will ensure consistency with other government agencies that similarly regulate these devices. (Radiation Protection Act)	John Chipppo (717) 787-2480 jchippo@pa.gov
Water Quality Standards—Class A Stream Redesignations 25 Pa. Code Chapter 93 (# 7-548)	Quarter 1, 2021, IRRC Consideration, as Final	The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to a submittal of data from the Pennsylvania Fish and Boat Commission (PFBC).	Michael Lookenbill (717) 787-2959 mlookenbil@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		<p>In this rulemaking, redesignations rely on § 93.4b(a)(2)(ii) to qualify streams for High Quality (HQ) designations based upon their classifications as Class A wild trout streams. DEP staff conducted an independent review of the trout biomass data in the PFBC's fisheries management reports for streams throughout the Commonwealth to ensure that the HQ criteria were met. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)</p>	
<p>Water Quality Standard for Manganese 25 Pa. Code Chapters 93 and 96 (# 7-553)</p>	<p>Quarter 4, 2021, EQB Consideration, as Final</p>	<p>This rulemaking proposes to address a provision regarding the water quality standards for manganese included in Act 40 of 2017. This rulemaking proposes to amend 25 Pa. Code Chapter 93 (relating to water quality standards) and 25 Pa. Code Chapter 96 (relating to water quality standards implementation). The amendments propose to delete manganese from Table 3 at § 93.7 (relating to specific water quality criteria) and add manganese to Table 5 at § 93.8c (relating to human health and aquatic life criteria for toxic substances). Also, the amendments propose two alternatives for a point of compliance with the manganese water quality standard: the point of all existing or planned surface potable water supply withdrawals; or all surface waters (i.e., near the point of discharge). (Administrative Code of 1929, Pennsylvania Clean Streams Law, Federal Clean Water Act)</p>	<p>Michael Lookenbill (717) 787-2959 mlookenbil@pa.gov</p>
<p>Water Quality Standards—Dunbar Creek et al. Stream Redesignations 25 Pa. Code Chapter 93 (# 7-557)</p>	<p>Quarter 2, 2021, EQB Consideration, as Proposed</p>	<p>The regulatory changes included in this rulemaking are the result of stream evaluations conducted by DEP in response to petitions submitted by citizens and data collected by the Department. In this rulemaking, redesignations rely on § 93.4b(a) and (b) to qualify one water for High Quality (HQ) and seven waters for Exceptional Value (EV) as well as correct the erroneous HQ designation of UNT Oley Creek to remove HQ. One water will be redesignated from Trout Stocking to Cold Water Fishes. Based on these data and appropriate regulatory criteria, DEP developed this package of stream redesignations including HQ stream redesignations in the Delaware, Susquehanna and Ohio River basins. (Section 303(c)(1) of the Federal Clean Water Act)</p>	<p>Michael Lookenbill (717) 783-2959 mlookenbil@pa.gov</p>
<p>Water Quality Management and NPDES Permit Application Fees and Annual Fees 25 Pa. Code Chapters 91 and 92a (# 7-533)</p>	<p>Quarter 1, 2021, EQB Consideration, as Final</p>	<p>This rulemaking proposes to amend fees related to water quality management permitting (Chapter 91) and proposes to amend the fee schedule for NPDES permit applications (Chapter 92a). Chapter 91 establishes, among other things, a water quality management (WQM) permitting</p>	<p>Sean Furjanic (717) 787-2137 sefurjanic@pa.gov</p>

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		program for the construction of sewage and industrial waste treatment facilities and for land application of sewage and industrial wastes. DEP began its Chapter 92a annual invoicing and fee collection program in December 2010. Chapter 92a updated the fee schedule for NPDES permit applications for persons to discharge pollutants from point sources into surface waters. In addition, Chapter 92a introduced an annual fee for certain facilities authorized to discharge pollutants by individual NPDES permits. A fee analysis that DEP presented to the EQB in 2014 highlighted that, despite the fee increase in 2010, revenue continues to fall short of expenses, impeding the work of Programs to carry out necessary tasks for protecting water resources in the Commonwealth. (Pennsylvania Clean Streams Law)	
National Pollutant Discharge Elimination System (NPDES) Program and Combined Sewer Overflows (CSO) 25 Pa. Code Chapter 92a (# 7-563)	Quarter 2, 2021, EQB Consideration, as Proposed	This rulemaking proposes to amend 25 Pa. Code § 92a.51(a) to provide an exception for combined sewer overflows (CSO) dischargers with approved long-term control plans (LTCPs) to comply with water quality standards in accordance with the schedule contained in the approved LTCPs allowing renewals of NPDES permits for CSOs to move forward. (Federal Clean Water Act, Pennsylvania Clean Streams Law)	Sean Furjanic (717) 787-2137 sefurjanic@pa.gov
Dam Safety and Waterway Management 25 Pa. Code Chapter 105 (# 7-556)	Quarter 4, 2021, EQB Consideration, as Final	This proposed rulemaking would amend Chapter 105; clarifying existing requirements; deleting or updating obsolete and antiquated requirements; incorporating new or revised sections and definitions; and correcting typographical errors. (Federal Clean Water Act, Pennsylvania Clean Streams Law, Dam Safety and Encroachment Act)	Sid Freyermuth (717) 772-5977 sfreyermuth@pa.gov
PFAS MCL Rule 25 Pa. Code Chapter 109 (# 7-569)	Quarter 4, 2021, EQB Consideration, as Proposed	This proposed rulemaking would establish a maximum contaminant level (MCL) for select per- and polyfluoroalkyl substances (PFAS) in drinking water. (Safe Drinking Water Act)	Lisa Daniels (717) 772-4046 ldaniels@pa.gov
Control of VOC Emissions from Oil and Natural Gas Sources 25 Pa. Code Chapter 129 (# 7-544)	Quarter 3, 2021, EQB Consideration, as Final	This rulemaking proposes to establish emission limitations and other requirements codified in 25 Pa. Code Chapter 129 consistent with reasonably available control technology (RACT). The proposed rulemaking would establish RACT requirements for volatile organic compounds and other pollutants from existing oil and natural gas production facilities, compressor stations, processing plants and transmission stations. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Viren Trivedi (717) 783-9476 vtrivedi@pa.gov

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Control of VOCs from Gasoline Dispensing Facilities (Stage I and Stage II) 25 Pa. Code Chapters 121 and 129 (# 7-525)	Quarter 4, 2021, EQB Consideration, as Final	This rulemaking proposes to remove the requirement to install new Stage II vapor recovery systems and establish procedures for the decommissioning of existing Stage II vapor recovery systems. Stage II systems that are not decommissioned will be required to comply with existing Stage II regulatory maintenance requirements. Industry standards for Stage I and Stage II vapor leak monitoring and relating measures will be added for small gasoline storage tanks. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Chris Trostle (717) 772-3926 dtrostle@pa.gov
Requirements for the Control of Hydrofluorocarbons (HFCs) in New or Retrofit Equipment and New Consumer Products 25 Pa. Code Chapters 121, 129 and 130 (# 7-562)	Quarter 3, 2021, EQB Consideration, as Proposed	This proposed rulemaking would provide significant reductions in HFC emissions, a potent greenhouse gas, by preventing the future use of HFCs in sources such as air conditioning and refrigeration. Reductions in HFC emissions will help address climate change and decrease the adverse impacts of climate change on human health, the environment and the economy. (Air Pollution Control Act)	Nancy Herb (717) 772-3926 nherb@pa.gov
Additional RACT Requirements for Major Sources of NO _x and VOCs for the 2015 Ozone NAAQS 25 Pa. Code Chapters 121 and 129 (# 7-561)	Quarter 2, 2021, EQB Consideration, as Proposed	This proposed rulemaking would be part of the Commonwealth's demonstration to fulfill the RACT requirements for the 2015 8-hour ozone NAAQS. The proposed rulemaking would establish additional presumptive NO _x and VOC RACT requirements and RACT emission limitations for certain major stationary sources of NO _x and VOC emissions. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	Viren Trivedi (717) 783-9476 vtrivedi@pa.gov
CO ₂ Budget Trading Program 25 Pa. Code Chapter 145 (# 7-559)	Quarter 3, 2021, EQB Consideration, as Final	This rulemaking proposes to amend 25 Pa. Code Chapter 145 (relating to interstate pollution transport reduction) by adding Subchapter E (relating to CO ₂ budget trading program). This proposed rulemaking would establish a cap on carbon dioxide (CO ₂) emissions from fossil fuel-fired electric generating units, with a nameplate capacity equal to or greater than 25 megawatts (MWe), in Pennsylvania. This rulemaking would allow Pennsylvania to participate in the Regional Greenhouse Gas Initiative by establishing the Pennsylvania component of the CO ₂ Budget Trading Program which is designed to reduce anthropogenic emissions of CO ₂ , a greenhouse gas, in a manner that is protective of public health, welfare and the environment and is economically efficient. (Air Pollution Control Act)	Viren Trivedi (717) 783-9476 vtrivedi@pa.gov
VOC RACT Requirements for Certain CTG Source Categories for the 2015 Ozone NAAQS 25 Pa. Code Chapters 121 and 129 (# 7-568)	Quarter 2, 2021, EQB Consideration, as Proposed	This proposed rulemaking would be part of the Commonwealth's demonstration to fulfill the RACT requirements for the 2015 8-hour ozone NAAQS. The proposed rulemaking would establish presumptive VOC RACT requirements and RACT emission limitations for these CTG source categories:	Randy Bordner (717) 772-3921 ranbordner@pa.gov

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		shipbuilding and ship repair surface coating; synthetic organic chemical manufacturing industry air oxidation, distillation and reactor processes; and large petroleum dry cleaners. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	
MAX Delisting 25 Pa. Code Chapter 261a (# 7-566)	Quarter 2, 2021, EQB Consideration, as Proposed	This proposed rulemaking seeks to amend 25 Pa. Code Chapter 261a to exclude the wastewater sludge generated from the treatment disposal impoundment and land-fill leachate and contact stormwater at the MAX Environmental Technologies, Inc. Bulger and Yukon facilities from the list of hazardous wastes under the Resource Conservation and Recovery Act of 1976 (RCRA) and Solid Waste Management Act and their implementing regulations. The regulatory changes in this rulemaking, once promulgated, will codify delisting the wastewater sludge from the Bulger and Yukon Facilities as a hazardous waste. (Solid Waste Management Act, Resource Conservation and Recovery Act)	Tom Mellott (717) 783-3390 mtmellott@pa.gov
Municipal Waste Processing Permit-By-Rule; Rural Transfer Facility 25 Pa. Code Chapter 271 (# 7-564)	Quarter 2, 2021, EQB Consideration, as Proposed	This proposed rulemaking amends 25 Pa. Code Chapter 271.103 to add a new municipal waste processing permit-by-rule (PBR) for rural transfer facilities. It establishes requirements for operation of a rural transfer facility, including siting, storage, recordkeeping and other requirements. This proposed rulemaking was developed to create waste management and recycling opportunities for more citizens and in communities that are currently underserved or without collection infrastructure. (Solid Waste Management Act; Municipal Waste Planning, Recycling and Waste Reduction Act)	Laura Henry (717) 772-5713 lahenry@pa.gov
Prohibiting Electronic Liquid-Vaporizing Devices at Underground Bituminous Coal Mines 25 Pa. Code Chapter 208 (# 7-558)	Quarter 1, 2021, Publication, as Proposed	This proposed rulemaking will amend the smoking prohibition at underground bituminous coal mines to expressly prohibit the use and/or possession of electronic liquid-vaporizing devices, including, but not limited to, electronic cigarettes, and will provide for the imposition of a penalty for violations of the prohibition. This proposed rulemaking will also separately distinguish the prohibition at surface work areas of underground bituminous coal mines from the prohibition in the underground areas of these mines. (Bituminous Coal Mine Safety Act)	Richard Wagner (724) 925-5551 rwagner@pa.gov
Amendments to the Pennsylvania Clean Vehicles Program 25 Pa. Code Chapter 126, Subchapter D	Quarter 3, 2021, EQB Consideration, as Proposed	This proposed rulemaking would establish a requirement for automakers to offer for sale a percentage of ZEV Program-eligible light duty vehicles as part of their model offerings. With the availability of more non-emitting vehicles available for Pennsylvania's residents to purchase and the opportunity for residents to replace existing gasoline-powered or diesel-powered light-duty vehicles with non-emitting vehicles, emissions of criteria and toxic air	Chris Trostle (717) 772-3926 dtrostle@pa.gov

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		pollutants and GHGs would be reduced from Pennsylvania's air. Vehicles are a significant contributor to air pollution and this proposed rulemaking would improve ambient air quality and reduce the adverse effects of air pollution on public health and welfare, including the environment, particularly within environmental justice communities. Upon promulgation, the final-form regulation would be submitted to the EPA for approval as a SIP revision. (Air Pollution Control Act)	
<i>Department of General Services (DGS)</i>			
State Metrology Laboratory Fee Schedule 70 Pa. Code Chapter 110 (# 8-27)	Spring 2021, as Final Form	These regulations will increase the fees charged by the State Metrology Laboratory and update the description fields to accurately reflect the Metrology Lab's measurement parameters and ranges. Proposed rulemaking delivered to IRRC on June 18, 2019 and subsequently published in <i>Pa. Bulletin</i> on June 29, 2019; agency reviewing Legislative and IRRC comments received and working on Final Form regulatory package.	Ken Hess (717) 787-4352 Mary Fox (717) 787-6789
<i>Department of Health (DOH)</i>			
Health Facilities and Hospitals 28 Pa. Code Chapters 51 and 101—158	November 2021, as Proposed	The Secretary of Health created a task force of hospital industry representatives to review the current hospital regulations and provide recommendations to improve the quality of care in hospitals across the state. The hospital regulations will be updated to reflect those recommendations.	Sarah Kurish (717) 783-2500 Susan Coble (717) 783-1078 Scott Mincemoyer (717) 736-7358 Lawrence Clark (717) 547-3047
Long Term Care Facilities 28 Pa. Code Chapters 201—211	November 2021, as Proposed	Pennsylvania's long-term care facility licensure regulations were last updated in 1999. Since that time, the clinical complexity of nursing home residents has changed substantially. The Nursing Home Quality Improvement Task Force was commissioned by the Secretary of Health to make recommendations for revisions to the regulations. The long-term care facility regulations will be updated to reflect those recommendations.	Jennifer Russell (717) 783-2500 Susan Coble (717) 783-1078 Ann Chronister (717) 787-8015 Lawrence Clark (717) 547-3047
Communicable and Noncommunicable Diseases 28 Pa. Code Chapter 27	November 2021, as Proposed	To revise the listing and details associated with the reportable disease regulations (Chapter 27) to include additional and emerging diseases, new laboratory tests and changes to exclusion policies for individuals with evidence of disease. Changes will allow for alignment with national standards and improve disease surveillance, investigation and response efforts.	Yvette M. Kostelac (717) 783-2500 Raphael Barishansky (717) 783-8804 Sharon Watkins (717) 787-3350
The Controlled Substance, Drug, Device and Cosmetic Act P.L. 233, No. 64	July 2021, as Proposed	Act 96 of 2018 amends the Controlled Substance, Drug, Device and Cosmetic Act to provide for the required use of electronic prescribing for scheduled II—V controlled substances, including provisions for exemptions and penalties. Per Act 96 the Department of Health will promulgate regulations necessary to implement the requirements of the Act.	Keith Fickel (717) 783-2500 Meghna Patel (717) 787-6436

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Screening and Follow-up for Diseases of the Newborn 28 Pa. Code Chapter 28	June 2021, as Proposed	To revise and update the newborn screening regulations (Chapter 28) to include additional diseases, changes to policies and reporting requirements. Critical congenital heart defects in accordance with the Newborn Child Pulse Oximetry Screening Act and hearing screening in accordance with the Infant Hearing, Education, Assessment, Reporting, and Referral Act will be added to the regulations.	Keith Fickel (717) 783-2500 Stacey Gustin (717) 783-8143
Medical Marijuana Program 28 Pa. Code Chapters 1141a—1230a	November 2021, as Proposed	To promulgate as proposed permanent regulations to update existing temporary regulations to the Medical Marijuana program.	Carol Mowery (717) 783-2500 Mark Kovalcin (717) 783-2500 John Collins (717) 547-3047
Tanning Regulations	June 2021, as Proposed	The Indoor Tanning Act provides for regulations to be promulgated by the Department as required for implementation of the Act. The Department is proposing regulations to further clarify the requirements for the operation of tanning facilities and to provide for safety of the consumers of tanning products.	Keith Fickel (717) 783-2500 Linda Chamberlain (717) 736-7350
<i>Department of Human Services (DHS)</i>			
Psychiatric Rehabilitation Services 55 Pa. Code Chapter 5231	Spring 2021, as Proposed	This regulation will expand psychiatric rehabilitation services to individuals 14 years of age or older, but under 18 years of age, who meet admission requirements and individuals diagnosed with posttraumatic stress disorder, attention deficit hyperactivity disorder or anxiety disorders and amend outdated language throughout.	Jonathan McVey (717) 783-4286
Crisis Regs 55 Pa. Code Chapter XXXX	Fall 2021, as Proposed	This new chapter of regulation will replace the 1993 draft version of the Crisis Intervention Services regulations that was never promulgated. It will have robust staffing, services and physical site parameters.	Jonathan McVey (717) 783-4286
Psychiatric Residential Treatment Facility 55 Pa. Code Chapter XXXX	Summer 2021, as Proposed	This regulation will provide foundational standards to meet the health, safety and complex mental health needs of children, youth and young adults receiving services in psychiatric residential treatment facilities that are currently certified by OHMSAS and licensed by OCYF through the Chapter 3800 regulations.	Jonathan McVey (717) 783-4286
Intermediate Care Facilities for Individuals with an Intellectual Disability 55 Pa. Code Chapter 6600	Summer 2021, as Proposed	Retract Pa. Code Chapter 6000.901—985 (incident management statement of policy) and add incident management regulations into Chapter 6600. The incident management regulations in Chapter 6600 will align with Chapter 6100 regulations promulgated in 2019.	Jonathan McVey (717) 783-4286
Medical Assistance Manual 55 Pa. Code Chapter 1101.51	Winter 2021, as Proposed	This regulation will be amended to rescind the outdated “shared space” language at § 1101.51(b)(3) to allow for a more integrated approach to the provision of health care by multi-disciplinary and co-location arrangements.	Jonathan McVey (717) 783-4286

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Medical Assistance Manual 55 Pa. Code Chapter 1121	Summer 2021, as Proposed	This proposed regulation includes technical amendments to 55 Pa. Code Chapters 1101, 1121, 1141, 1142 and 1144. In addition to the technical amendments, the payment methodology for covered outpatient drugs has been amended in Chapter 1121 to comply with the Covered Outpatient Drugs final rule issued by CMS on 2/1/16 (81 FR 5170).	Jonathan McVey (717) 783-4286
Medical Assistance Manual 55 Pa. Code §§ 1101.65 and 1150.51	Fall 2021, as Proposed	This regulation will be amended to rescind language at 55 Pa. Code § 1101.65(3) and § 1150.51(a) that prohibits payments to practitioners' corporations or partnerships composed of unlike practitioners. The rescission of the prohibitive language will allow payment to be made to a group of unlike providers.	Jonathan McVey (717) 783-4286
Certified Registered Nurse Anesthetists Medical Assistance Manual Chapter 1150	Fall 2021, as Proposed	This proposed regulation provides for direct payment to the administering Certified Registered Nurse Anesthetists instead of the supervising physicians for anesthesia administered. The amendment also provides for payment for anesthesia services in an outpatient hospital and ambulatory surgical center.	Jonathan McVey (717) 783-4286
Medical Marijuana in Facilities 55 Pa. Code Chapters 3270, 3280, 3290, 3800, 5310, 6400 and 6600	Spring 2021, as Proposed	This regulation will amend Chapters 3270, 3280, 3290, 3800, 5310, 6400 and 6600 as directed by Section 2105 of Act 16 of 2016, the Medical Marijuana Act, regarding possession and use of medical marijuana in child care centers or other social services centers.	Jonathan McVey (717) 783-4286
Administration of County Children and Youth Social Service Programs 55 Pa. Code Chapter 3130	Fall 2021, as Proposed	This regulation will replace Chapter 3130 to align with current practice models and support implementation of improvements consistent with the Child and Family Services Review findings and amendments to State and Federal laws.	Jonathan McVey (717) 783-4286
Adult Protective Services 55 Pa. Code Chapter 15	Fall 2021, as Proposed	This regulation will govern the investigation of allegations of abuse, neglect, exploitation or abandonment of adults between the ages of 18 and 59 years, and the provision of protective services as indicated by the results of those investigations. The authority for the regulation and resulting services is provided by Act 70 of 2010, the Adult Protective Services Act.	Jonathan McVey (717) 783-4286
<i>Pennsylvania Insurance Department (PID)</i>			
Health Insurance Reserves (NAIC Model Regulation)	Summer 2021, as Final	Amendments to Chapter 84a based upon NAIC Model amendments regarding actuarial reserving requirements.	Richard L. Hendrickson, Department Counsel (717) 787-2567
<i>Department of Labor and Industry (L&I)</i>			
Flammable and Combustible Liquids Title 34, Part I, Chapters 14 and 14a Bureau of Occupational and Industrial Safety	Spring 2021, as Proposed	Update regulations based on Act 144 of 2012 and adopt requirements for storage and dispensing of compressed natural gas as vehicular fuel.	Matthew Kegg (717) 783-6304
Unemployment Compensation Title 34, Chapter 101 Board of Review	Spring 2021, as Proposed	Update regulation to reflect statutory and operational changes. Also, update regulations based on needs for Benefits Modernization System.	Brian Parr (717) 787-5122

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Unemployment Compensation Title 34, Chapter 65 Employee Provisions	Spring 2021, as Proposed	Update regulations based on needs for Benefits Modernization System and other operational changes.	Susan Dickinson (717) 787-4403
Services for the Blind and Visually Impaired Currently Title 55, Part IV, Adult Services Manual, Subpart D Non-residential Agencies/Facilities/Services Chapter 2430 to be moved to Title 34	Winter 2021, as Proposed	Deletion of current regulations and creation of new regulations for the Business Enterprise Program to reflect operational changes, based on the transfer of the program from the Department of Welfare to L&I, Act 15 of 1999. Initial stakeholder outreach conducted re: new regulations; preparation of proposed rulemaking package currently underway.	Rod Alciconis (717) 787-7312
Apprenticeship EEO Regulations Title 34, Chapter 81 Equal Opportunity in Apprenticeship Programs	Spring 2021, as Proposed	Update the PA apprenticeship regulations to align with new Federal EEO regulations.	Tara Loew (717) 787-6997
Bureau of Workers' Compensation Title 34, Chapter 123, Subchapter B. Impairment Ratings	Fall 2021, as Proposed	Update regulations to reflect new statutory provisions and changes to the IRE process enacted by Act 111 of 2018. Initial comment period ended 1/19/2021.	Marianne Saylor (717) 783-5421
Employment of Minors Title 34, Part 1, Chapter 11 Bureau of Labor Law Compliance	Fall 2021, as Proposed	Update regulations related to employment of minors to reflect 2012 updates to the Child Labor Act.	Bryan Smolock (717) 787-0606
Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board Title 34, Part VII, Chapter 111 Workers' Compensation Appeal Board	Winter 2021, as Proposed	Modernize regulations to reflect judicial best practices in scheduling of oral argument after the parties file briefs. The OAG has approved the proposed changes to the regulations. The proposed changes will be delivered in January or February to the General Assembly's new standing committees, IRRC and the LRB for publication as proposed rulemaking.	Steven Loux (717) 783-7838
Uniform Construction Code Regulations Title 34, Part I, Chapters 401 and 403 Bureau of Occupational and Industrial Safety	Summer 2021, as Final-Omitted	Update regulations adopting the 2021 ICC accessibility provisions.	Matthew Kegg (717) 787-6304
Uniform Construction Code Regulations Title 34, Part I, Chapters 401 and 403 Bureau of Occupational and Industrial Safety	Winter 2022, as Final-Omitted	Update regulations based on the adoption of the 2018 ICC codes by the UCC Review and Advisory Council.	Matthew Kegg (717) 783-6304
<i>Department of Military and Veterans Affairs (DMVA)</i>			
Veterans' Homes Regulations 43 Pa. Code Chapter 7	Fall 2021, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations on State Veterans' Homes. The statutory authority for these regulations is section 902(10) of the Military and Veterans Code (51 Pa.C.S. § 903(10)). These regulations are out-of-date. They were last updated in 1986. The purpose of the changes to these regulations is to bring them in line with best practices in the long-term care arena.	Elizabeth Pettis (717) 861-8503

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Bureau of Veterans' Affairs 43 Pa. Code Chapter 5	Winter 2021, as Proposed	The Department wishes to promulgate a comprehensive update to its regulations related to the former Bureau of Veterans' Affairs that is now the Bureau of Programs, Initiatives, Reintegration and Outreach. The statutory authority for these regulations Sections 1704(7) and 7701 of the Military and Veterans Code (51 Pa.C.S.). These regulations are out-of-date. They were last updated in 1991.	Elizabeth Pettis (717) 861-8503
Fort Indiantown Gap 43 Pa. Code (new chapter)	Spring 2022, as Proposed	Fort Indiantown Gap is owned by the Commonwealth of Pennsylvania and operated by the Department of Military and Veterans Affairs. The post is home to tens of thousands of Soldiers and civilians every year for training and other activities. Department wishes to promulgate regulatory authority and installation regulations that enhance the safety of military and civilian personnel and protect the military and Commonwealth property. The statutory authority for these regulations Chapter 7 § 708 of the Military and Veterans Code (51 Pa.C.S.).	Elizabeth Pettis (717) 861-8503
<i>Municipal Police Officers' Education and Training Commission (MPOETC)</i>			
Administration of the Municipal Police Officers' Education and Training Program 37 Pa. Code Chapter 203 (# 17-80)	Summer 2021, as Proposed	Proposed rulemaking delivered to IRRC on October 8, 2020 and subsequently published in Pa. Bulletin on October 17, 2020; reviewing IRRC comments. Title 53 Pa.C.S. § 2164(14) conveys powers and duties to the Municipal Police Officers' Education and Training Commission to make such rules and regulations and to perform such other duties as may be reasonably necessary or appropriate to implement the education and training program for police officers. Omnibus revisions to Chapter 203, which pertains to the certification and training of the Commonwealth's municipal police officers, are necessary to modernize these regulations, as they have not undergone a major revision since 1996. The amendments that will be proposed are the product of an extensive review project that included key stakeholders of the regulated community.	Sergeant Leslie Barr (717) 705-0843
Administration of Law Enforcement Background Investigations and Employment Information Act 57 of 2020	Spring 2021, as Proposed	Under development. Act 57 of 2020 (P.L. 613, July 14, 2020, No. 57) established the requirement for background investigations and employment information for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish and maintain an electronic database containing separation records of law enforcement officers; establish minimum background investigation standards; and promulgate regulations.	Sergeant Leslie Barr (717) 705-0843
Administration of Mental Health Evaluations for Law Enforcement Officers Act 59 of 2020	Spring 2021, as Proposed	Under development. Act 59 of 2020 (P.L. 624, July 14, 2020, No. 59) established the requirement for mandatory mental health evaluations for law enforcement officers. Duties conveyed to the Municipal Police Officers' Education and Training Commission include to establish procedures for	Sergeant Leslie Barr (717) 705-0843

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		confidentiality of mental health evaluations and related records; other procedures as necessary; and promulgate regulations.	
<i>Pennsylvania Commission on Crime and Delinquency (PCCD)</i>			
Sheriffs' and Deputy Sheriffs' Education and Training Program 37 Pa. Code Chapter 421	Spring 2021, as Proposed	The Deputy Sheriffs' Education and Training Board (Board), an advisory board within the Commission on Crime and Delinquency, plans to amend the regulations at 37 Pa. Code Chapter 421 (relating to Deputy Sheriffs' Education and Training Board) due to statutory changes in Act 114 of 2014 (Act of Jul. 9, 2014, P.L. 1006, No. 114).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
County Probation and Parole Officers' Firearm Education and Training Commission 37 Pa. Code Chapter 79	Fall 2021, as Proposed	The County Adult Probation and Parole Advisory Committee (CAPPAC), an advisory committee within the Commission on Crime and Delinquency, plans to transfer and amend the regulations at 37 Pa. Code Chapter 79 to a newly created 37 Pa. Code Chapter 491 due to statutory changes in Act 115 of 2019 (Act of Dec. 18, 2019, P.L. 776, No. 115).	Mike Pennington (717) 265-8461 Debra Sandifer (717) 265-8517
<i>Pennsylvania Emergency Management Agency (PEMA)</i>			
No regulations being developed or considered at this time.			
<i>Pennsylvania Housing Finance Agency (PHFA)</i>			
No regulations being developed or considered at this time.			
<i>Pennsylvania Infrastructure Investment Authority (PENNVEST)</i>			
Pennsylvania Infrastructure Investment Authority (PENNVEST) Assistance and Clean Water State Revolving Fund 25 Pa. Code §§ 963.1—963.20, including inter alia: 963.12(a) 963.13(c) 963.13(e) 963.15(a) 963.15(c) 963.16 963.18(c) 963.20 (# 101-10)	Spring 2021, as Proposed The PENNVEST Board voted to approve the proposed rule-making on January 29, 2020.	Revisions under consideration include, inter alia: Amendments to 25 Pa. Code §§ 963.1—963.20 to be consistent with statutory revisions imposed by P.L. 51, No. 16, enacted June 19, 2013, the Federal Water Resources Reform and Development Act of 2014, and guidance revisions implemented by the Department of Environmental Protection, to reflect updates to business practices, and to incorporate any provisions necessary to accommodate for the deletion of 25 Pa. Code § 965 in its entirety, including, but not limited to the following: (1) Amend 25 Pa. Code § 963.12(a)(1) by revising the section to provide for the eligibility of certain interior plumbing costs. (2) Delete 25 Pa. Code § 963.12(a)(3) and § 963.12(c)(3) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the purchase of land that qualify as eligible costs under § 963.11(a)(4). (3) Delete 25 Pa. Code § 963.12(a)(7) thereby allowing PENNVEST to provide financial assistance (loan and grant) for costs associated with the extraction for profit of minerals or other resources from wastewater or sludge whether the project is sponsored by a public or private actor.	Shawn W. Weis (717) 783-6776

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		<p>(4) Amend 25 Pa. Code § 963.13(c) by revising the section to provide for an amortization of advance funding loans with a term of 59 months of interest only and repayment of principal and interest on the 60th month.</p> <p>(5) Delete 25 Pa. Code § 963.13(e) requiring PENNVEST to set aside 10% of the available finance assistance for advance funding assistance due to a lack of demand.</p> <p>(6) Amend 25 Pa. Code § 963.15(a) by revising the first sentence to provide for a change in the normal loan term to allow 3 years of interest only prior to principal amortization.</p> <p>(7) Amend 25 Pa. Code § 963.15(c)(5) to provide that maximum interest rates on loans shall be determined based upon the unemployment rate for the applicable county in the most recent calendar year for which data has been finalized as of the application cutoff date.</p> <p>(8) Amend 25 Pa. Code § 963.15(c)(6) by revising the sentence to define “bond interest rate” to mean the rate of interest paid by the Commonwealth in its issuance of general obligation bonds immediately preceding the application cut-off date for the next regularly scheduled PENNVEST Board meeting.</p> <p>(9) Amend 25 Pa. Code § 963.16 to provide the parameters of a loan or bond guarantee program to be provided by PENNVEST.</p> <p>(10) Amend 25 Pa. Code § 963.18(c)(2)(iii) to increase the threshold for PENNVEST’s prior written approval of change orders from \$25,000, or 2 percent of the amount of the project’s construction cost, whichever is less, to \$50,000.</p> <p>(11) Delete 25 Pa. Code § 963.20 eliminating the requirement for a second opinion project review for projects in excess of \$10M.</p>	
<i>Pennsylvania Municipal Retirement System (PMRS)</i>			
No regulations being developed or considered at this time.			
<i>Pennsylvania State Employees’ Retirement System (SERS)</i>			
No regulations being developed or considered at this time.			
<i>Pennsylvania State Police (PSP)</i>			
Training and Minimum Standards Under the Wiretapping and Electronic Surveillance Control Act 37 Pa. Code Chapter 51	Fall 2021, as Proposed Preparation of proposed rulemaking package currently underway	Title 18 Pa.C.S. § 5724 requires the Commissioner of the Pennsylvania State Police (PSP) and the Attorney General to establish a training course for certification related to conducting wiretapping and electronic surveillance. Revisions to Chapter 51 as it relates to officer certification/re-certification and authorization to engage in the conduct of communications interception will be proposed to adjust the training to current technology and operational needs.	Sergeant Leslie Barr (717) 705-0843

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Purchase and Possession of Partially-Manufactured Frame or Receiver for Pistol or Rifle 37 Pa. Code (new chapter)	Fall 2021, as Proposed Preparation of proposed rulemaking package currently underway	Title 18 Pa.C.S. § 6111.1 requires the Pennsylvania State Police to administer the provisions of the Uniform Firearms Act. The Office of Attorney General, Official Opinion 2019-3, 49 Pa.B. 7659, establishes a partially-manufactured frame or receiver for a pistol or rifle as a firearm as defined within the Uniform Firearms Act. The purpose of the proposed rulemaking is to ensure clear guidance is given to licensees/sheriffs and the public in processing the sale/transfer and possession of a partially-manufactured frame or receiver for a pistol or rifle.	Sergeant Leslie Barr (717) 705-0843
<i>Department of Revenue (DOR)</i>			
Amendments to Local Option Small Games of Chance (SGOC) 61 Pa. Code Chapter 901a	October 2021, as Proposed	The Department is proposing to replace Chapter 901 with a new Chapter 901a as a result of the amendments to the SGOC law. The proposed rulemaking will reorganize and clarify the SGOC regulations as well as incorporate necessary changes to implement Acts 2 and 184 of 2012 and Acts 90 and 92 of 2013.	John Brenner (717) 705-3906
Amendments to Realty Transfer Tax (RTT) Regulations 61 Pa. Code Chapter 91	September 2021, as Proposed	Amendments to the RTT regulations are being proposed to improve the clarity and effectiveness of the regulations. The proposed amendments will be consistent with Department policy and language in the RTT statute.	John Brenner (717) 705-3906
Corporate Net Income Tax 61 Pa. Code §§ 153.26 and 153.26a (Proposed Rulemaking) Sales factor sourcing sales of tangible personal property and Sales factor sourcing sales of services	September 2021, as Proposed	Under the authority contained in section 6 of the Fiscal Code (72 P.S. § 6) and section 401 of the TRC (72 P.S. § 7401(3)), the Department proposes amendments to 61 Pa. Code § 153.26 (relating to sales factor sourcing sales of tangible personal property) and the addition of § 153.26a (relating to sales factor sourcing sales of services). Act 52 of 2013 enacted a revised methodology for sourcing revenue from the sales of services in the computation of CNIT. The proposed rulemaking will establish the processes for sourcing service income and the apportionment of taxpayers' business income to this Commonwealth and ensure that all taxpayers implement uniform methods for sourcing their sales of services to this Commonwealth. Informal Public Outreach was initiated October/November 2020.	Douglas Berguson (717) 346-4633
Corporate Net Income Tax 61 Pa. Code Chapter 153 (Proposed Rulemaking) Business income and nonbusiness income	October 2021, as Proposed	Under the authority contained in section 6 of the Tax Reform Code of 1971 (TRC) (72 P.S. § 6), the Department is proposing amendments to the Corporate Net Income Tax regulations by adding section 153.24a (relating to business and nonbusiness income) due to legislative changes and further development of the Unitary Business Principle of the U.S. Constitution in case law. Informal Public Outreach was conducted in January/February 2020.	Douglas Berguson (717) 346-4633

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Department of State (DOS)			
State Board of Accountancy			
Competence to Supervise Attest Services 49 Pa. Code § 11.23a (# 16A-5516)	Spring 2021, as Proposed	The proposed rulemaking would provide a CPE “safe harbor” for licensees supervising attest services; require licensees supervising, signing or authorizing another to sign an accountant’s report for attest services to comply with the competency requirements; and fix a typographical error.	Sara Fox (717) 783-3399
Licensure by Endorsement 49 Pa. Code §§ 11.5a and 115.b (# 16A-5517)	Spring 2021, as Proposed	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Sara Fox (717) 783-3399
State Architects Licensure Board			
Electronic Seals and Signing 49 Pa. Code Chapter 9 (# 16A-4111)	Summer 2021, as Final	The regulations would update existing regulations on seals and set forth standard requirements for electronic seals and electronic signing of design documents. The goal of this proposal is to be consistent with proposed regulations of the State Registration Board for Professional Engineers, Land Surveyors and Geologists and the State Board of Landscape Architects to provide all design professionals with standards that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients. The proposed rulemaking was delivered to IRRC on August 11, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on August 25, 2020; the Board will review all comments received and draft the final regulation.	Amanda Li (717) 783-3397
Licensure by Endorsement 49 Pa. Code Chapter 9 (# 16A-4120)	Spring 2021, as Proposed	This rulemaking amends the Board’s regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions	Amanda Li (717) 783-3397

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	
<i>State Athletic Commission</i>			
Prohibited Drug Testing 58 Pa. Code, Part I, Subpart A, Chapter 15 (# 16-58)	Summer 2021, as Proposed	The proposed rulemaking would revise existing regulations on drug testing for boxers, mixed martial arts participants and kick boxers, as authorized under section 709 of the Boxing Act.	Martha Brown (717) 783-0736
<i>State Board of Auctioneer Examiners</i>			
Schedule of Fees 49 Pa. Code § 1.41 (# 16A-6411)	Spring 2021, as Proposed	The proposed rulemaking is needed to increase application and biennial renewal fees to provide sufficient biennial revenue to meet projected expenditures as required under section 6(a) of the Auctioneer Licensing and Trading Assistant Registration Act (63 P.S. § 734.6).	Terrie Kocher (717) 783-3397
Licensure by Endorsement 49 Pa. Code §§ 1.3, 1.27 and 1.28 (# 16A-6412)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Terrie Kocher (717) 783-3397
<i>State Board of Barber Examiners</i>			
Schedule of Fees 49 Pa. Code § 3.103 (# 16A-4230)	Spring 2021, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures, as required under section 14 of the Barbers' License Law (63 P.S. § 564).	Kelly Diller (717) 783-1261
Licensure by Endorsement 49 Pa. Code §§ 3.16 and 3.17 (# 16A-4212)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act	Kelly Diller (717) 783-1261

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		41 to include methods of determining competency and expiration dates for provisional licenses.	
<i>State Board of Chiropractic</i>			
Government Employee Liability Coverage 49 Pa. Code §§ 5.17(f) and 5.41 (# 16A-4325)	Spring 2021, as Proposed	The Chiropractic Practice Act requires chiropractors to maintain professional liability insurance, including self-insurance. This regulation would permit a licensee who practices exclusively on behalf of the government to meet this requirement by reliance upon the coverage provided under the Federal Tort Claims Act or the Sovereign Immunity Act as administered by the Commonwealth's Employee Liability Self-Insurance Program.	Michelle Roberts (717) 783-7155
Child Abuse Reporting Requirements 49 Pa. Code §§ 5.91—5.96 (# 16A-4322)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Chiropractic obtain required training in child abuse recognition and reporting.	Michelle Roberts (717) 783-7155
Licensure by Endorsement 49 Pa. Code §§ 5.1. 5.11a, 5.13a and 5.13b (# 16A-4334)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7155
<i>Commissioner of Professional and Occupational Affairs</i>			
Representation 49 Pa. Code Chapter 43b (# 16A-065)	Spring 2021, as Proposed	This regulation is a procedural regulation that will permit representation by non-attorneys for partnerships, corporations, limited liability companies, trusts, agencies and political subdivisions, and other associations.	Cyndi Montgomery (717) 783-7200
Act 53 Schedules of Criminal Offenses 49 Pa. Code, Subchapter D §§ 301 et seq. (# 16A-66)	Spring 2021, as Proposed	This proposed rulemaking is required to implement provisions of the act of July 1, 2020 (P.L. 545, No. 53), relating to the consideration of criminal history record information by licensing boards and commissions under the Bureau of Professional and Occupational Affairs, including schedules of criminal convictions that may constitute grounds to refuse to issue, suspend or revoke a license, certificate, registration or permit for each occupation or profession regulated by the various boards/commissions.	Cyndi Montgomery (717) 783-7200

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		<i>Statutory authority:</i> Section 3117 of the act of July 1, 2020 (63 Pa.C.S. § 3117) requires the Commissioner to promulgate a regulation codifying the schedules of criminal offenses within 2 years. Section 3117(b) requires the initial proposed regulations to be submitted within 120 days of publication of a notice of completion of the schedules (which was published in the <i>Pennsylvania Bulletin</i> on December 26, 2020).	
<i>Bureau of Elections Services and Notary</i>			
Notaries Public 4 Pa. Code, Part VIII, Subpart C (# 16-59)	Spring 2021, as Proposed	The rulemaking implements the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA).	Martha Brown (717) 783-0736
<i>State Board of Cosmetology</i>			
Schedule of Fees 49 Pa. Code Chapter 7 (# 16A-4520)	Spring 2021, as Proposed	The proposed rulemaking would increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 14 of the Cosmetology Law (63 P.S. § 522).	Kelly Diller (717) 783-1261
Licensure by Endorsement 49 Pa. Code Chapter 7 (# 16A-4521)	Summer 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Kelly Diller (717) 783-1261
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 7 (# 16A-4518)	Spring 2021, as Proposed	The proposed rulemaking implements part of the Act 136 of 2014 (P.L. 2476, No. 136), which allows massage therapists to practice within the licensed square footage of cosmetology or esthetician salons and requires the Board and the State Board of Massage Therapy to jointly promulgate regulations to carry out these provisions. <i>Statutory Authority:</i> Sections 11 and 9.3 of the Act of May 3, 1933 (P.L. 242, No. 86), commonly referred to as the Beauty Culture Law, 63 P.S. §§ 515.3 and 517.	Kelly Diller (717) 783-1261

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Crane Operators			
Schedule of Civil Penalties 49 Pa. Code Chapter 43b (# 16A-7103)	Summer 2021, as Final	The regulation creates a schedule of civil penalties for violations of the Crane Operator Licensure Act and regulations of the State Board of Crane Operators. The proposed rulemaking was delivered to IRRC on October 8, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on October 24, 2020; the Board reviewing comments received and is drafting the final regulation.	Amanda Li (717) 783-1404
Licensure by Endorsement 49 Pa. Code §§ 6.16 and 6.17 (# 16A-7104)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Amanda Li (717) 783-1404
Bureau of Corporations and Charitable Organizations			
Non-attorney Representation 19 Pa. Code, Part I, Subpart B, (new) Article VI (# 16-64)	Spring 2021, as Proposed	The proposed rulemaking would permit certain individuals to represent an association in an appeal or petition before the Department, superseding 1 Pa. Code § 31.21 (relating to appearance in person).	Martha Brown (717) 783-0736
State Board of Dentistry			
General Revisions 49 Pa. Code Chapter 33 (# 16A-4628)	Spring 2021, as Proposed	The State Board of Dentistry has undertaken a review of existing regulations with the goal of updating the regulations and eliminating outdated and obsolete provisions. This proposed rulemaking would generally amend, update and clarify the regulations relating to fictitious names, biennial renewal, inactive status, reactivation, licensure by criteria approval, acceptable proof of professional liability insurance, use of titles, advertising, unprofessional conduct, multi-disciplinary professional corporations, exclusion of auxiliary personnel from performing radiological procedures and continuing dental education. It would also implement two new licensure categories: restricted faculty licenses (incorporating into this rulemaking the subject matter from prior Reg. # 16A-4632) and temporary volunteer dental licenses (incorporating into this rulemaking the subject matter from prior Reg. # 16A-4631).	Lisa Burns (717) 783-7162

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Fees 49 Pa. Code § 33.339 (# 16A-4634)	Summer 2021, as Final	The rulemaking is needed to increase fees to meet or exceed biennial expenditures. Section 4(b) of the Dental Law (63 P.S. § 123(b)) requires the Board to increase fees when the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period. The proposed rulemaking was delivered to IRRC on October 29, 2020, and subsequently published in <i>Pennsylvania Bulletin</i> on November 14, 2020; the Board has reviewed all comments received and is drafting the final regulation.	Lisa Burns (717) 783-7162
Licensure by Endorsement 49 Pa. Code Chapter 33 (# 16A-4635)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Lisa Burns (717) 783-7162
<i>State Board of Professional Engineers, Land Surveyors and Geologists</i>			
Electronic Seals and Signatures 49 Pa. Code Chapter 37 (# 16A-4712)	Summer 2021, as Final	The regulations would update existing regulations on seals and set forth standard requirements for electronic seals and electronic signing of design documents. The goal of this proposal is to be consistent with proposed regulations of the State Architects Licensure Board and the State Board of Landscape Architects to provide all design professionals with standards that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients. The proposed rulemaking was delivered to IRRC on August 11, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on August 25, 2020; the Board will review all comments received and draft the final regulation.	Jeannie Bronshtein (717) 783-7049
Licensure by Endorsement 49 Pa. Code Chapter 37 (# 16A-4715)	Winter 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions	Jeannie Bronshtein (717) 783-7049

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	
State Board of Funeral Directors			
Limited Liability Company 49 Pa. Code §§ 13.95-13.96, 13.103 and 13.109-13.110 (# 16A-4826)	Summer 2021, as Proposed	The proposed regulation would set forth that a limited liability company that has only two or more funeral directors as its members may be licensed as a partnership and with only a single funeral director as its sole member may be licensed as a sole proprietorship. <i>Statutory Authority:</i> Sections 8 and 16(a) of the Funeral Director Law, 63 P.S. §§ 479.8, 479.16(a).	Heidy Weirich (717) 783-4866
Child Abuse Reporting Requirements 49 Pa. Code §§ 13.301— 13.307 (# 16A-4824)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Funeral Directors obtain required training in child abuse recognition and reporting.	Heidy Weirich (717) 783-4866
Licensure by Endorsement 49 Pa. Code § 13.77.1 (# 16A-4832)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Kristel Hennessy Hemler (717) 783-4866
State Board of Landscape Architects			
Electronic Signature and Seals 49 Pa. Code Chapter 15 (# 16A-6112)	Summer 2021, as Final	The proposed regulations would update existing regulations on seals and set forth standard requirements for electronic seals and electronic signing of design documents. The goal of this proposal is to be consistent with proposed regulations of the State Registration Board for Professional Engineers, Land Surveyors and Geologists and the State Architects Licensure Board to provide all design professionals with standards that are as consistent as possible with respect to both traditional seals and electronic seals to benefit both the design professionals and their clients. The proposed rulemaking was delivered to IRRC on August 11, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on	Terri Kocher (717) 772-8528

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		August 25, 2020; the Board will review all comments received and draft the final regulation.	
Licensure by Endorsement 49 Pa. Code Chapter 15 (# 16A-6121)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Terri Kocher (717) 772-8528
State Board of Massage Therapy			
General Revisions 49 Pa. Code §§ 20.1—20.54 (# 16A-725)	Summer 2021, as Proposed	This proposed rulemaking updates several provisions, including education, scope of practice and examinations. <i>Statutory Authority:</i> Section 4(2) of the Massage Therapy Act, 63 P.S. § 627.4(2).	Christina Townley (717) 783-7155
Massage Therapists in Cosmetology or Esthetician Salons 49 Pa. Code Chapter 20 (# 16A-726)	Spring 2021, as Proposed	This proposed rulemaking enacts part of the act of September 24, 2014 (P.L. 2476, No. 136), which allows massage therapists to practice in cosmetology or esthetician salons. <i>Statutory Authority:</i> Act 136 requires the Board and the State Board of Cosmetology to jointly promulgate regulations implementing the new law; Section 4(2) of the Massage Therapy Law, 63 P.S. § 4(2), provides the Board's general authority to promulgate regulations.	Christina Townley (717) 783-7155
Child Abuse Reporting Requirements 49 Pa. Code Chapter 20 (# 16A-722)	Spring 2021, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Massage Therapy obtain required training in child abuse recognition and reporting.	Christina Townley (717) 783-7155
Licensure by Endorsement 49 Pa. Code Chapter 20 (# 16A-727)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and	Christina Townley (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	
<i>State Board of Medicine</i>			
Practitioners of Oriental Medicine 49 Pa. Code Chapter 18 (# 16A-4956)	Spring 2021, as Proposed	This proposed rulemaking would revise the regulations relating to acupuncturists and practitioners of oriental medicine (POM) to transform the current POM license into a one-time registration, make amendments to reflect legislative changes regarding acupuncturists which have occurred since the prior regulatory amendments on the topic and to address acceptable testing scores due to new test formats. The rulemaking is in accordance to the Governor's recommendation for occupational licensure reform.	Suzanne Zerbe (717) 787-7768
Naturopathic Doctors 49 Pa. Code Chapter 18 (# 16A-4953)	Summer 2021, as Proposed	The proposed rulemaking will amend the Board's regulations to implement the Naturopathic Doctor Registration Act, Act of Nov. 3, 2016, P.L. 997, No. 128, 63 P.S. §§ 272.101—272.301, which provides for the registration of naturopathic doctors. The proposal establishes fees, registration requirements, continuing education requirements, standards of practice, required records, advertising, grounds for discipline and types of discipline.	Suzanne Zerbe (717) 787-7768
Examinations 49 Pa. Code §§ 16.1, 17.11, 17.12 and 17.12c (# 16A-4948)	Spring 2021, as Proposed	The proposed rulemaking will conform the regulation to reflect changes made by the National Board of Medical Examiners to the United States Medical Licensing Examination (USMLE) regarding limitations on the number and timing of attempts an applicant may take the various USMLE parts. The proposed rulemaking will also remove the detailed descriptions of the FLEX and Federation of State Medical Boards (FSMB) licensing examinations which have not been offered for 24 and 33 years, respectively. <i>Statutory Authority:</i> Section 8 of the Medical Practice Act of 1985 (63 P.S. § 422.8).	Suzanne Zerbe (717) 787-7768
Orthotic Fitter Extension of Temporary Practice Permit 49 Pa. Code Chapter 18 §§ 18.841 and 18.842 (# 16A-4947)	Summer 2021, as Final	The rulemaking would extend the temporary practice permit from 12 months to 18 months to be consistent with National certification standards and provide permit holders with a full year to test. It would also permit an individual who has failed the certification examination three times and whose permit has expired to apply for a second permit after completing another approved education program. The proposed rulemaking was delivered to IRRC on December 22, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on January 9, 2021; the Board will review all public comments received and draft the final regulation.	Suzanne Zerbe (717) 787-7768

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 16.101—16.107 (# 16A-4941)	Fall 2021, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Medicine obtain required training in child abuse recognition and reporting.	Suzanne Zerbe (717) 787-7768
Temporary Graduate Perfusionist 49 Pa. Code § 18.604(e) (# 16A-4954)	Spring 2021, as Final-Omitted	The rulemaking will incorporate the provisions of Act 119 of 2016 by deleting 49 Pa. Code § 18.604(e) which directed that a temporary graduate perfusionist license expired upon the failure of the certification examination.	Suzanne Zerbe (717) 787-7768
Licensure by Endorsement 49 Pa. Code Chapter 17 (# 16A-4958)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Suzanne Zerbe (717) 787-7768
<i>State Board of Examiners of Nursing Home Administrators</i>			
Continuing Education Requirements 49 Pa. Code § 39.11 (# 16A-6219)	Spring 2021, as Final	The regulation amends the biennial continuing education requirement to conform with the Governor's recommendations for licensure reform that were generated by Executive Order 2017-3. The biennial requirement of 48 credit hours will be reduced to 36. Additionally, the rulemaking provides for showing of continued competence where a licensee has been inactive for a period of time. The proposed rulemaking was delivered to IRRC on January 16, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on February 1, 2020; the Board is reviewing all public comments received and will draft the final regulation.	Chris Stuckey (717) 783-4856
Child Abuse Reporting Requirements 49 Pa. Code Chapter 39 (# 16A-6218)	Spring 2021, as Proposed	This regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of State Board of Examiners of Nursing Home Administrators obtain required training in child abuse recognition and reporting.	Chris Stuckey (717) 783-4856

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code § 39.8a (# 16A-6220)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Chris Stuckey (717) 783-4856
<i>State Board of Nursing</i>			
Nursing Education Programs 49 Pa. Code Chapter 21 (# 16A-5141)	Spring 2021, as Proposed	This proposed rulemaking consolidates and updates pre- and post-licensure education regulations for registered nurses, licensed practical nurses and certified registered nurse practitioners and updates IV therapy terminology.	Cindy Miller (717) 783-7142
Child Abuse Reporting Requirements 49 Pa. Code §§ 21.501— 21.507 (# 16A-5140)	Fall 2021, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Nursing obtain required training in child abuse recognition and reporting. The proposed rulemaking was delivered to IRRC on January 15, 2021 and subsequently published in <i>Pennsylvania Bulletin</i> on January 30, 2021; the Board will review all public comments received and draft final regulation.	Cindy Miller (717) 783-7142
Licensure by Endorsement 49 Pa. Code Chapter 21 (# 16A-5143)	Summer 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Cindy Miller (717) 783-7142

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Occupational Therapy Education and Licensure			
Educational Programs 49 Pa. Code §§ 42.1 and 42.13 (# 16A-6712)	Summer 2021, as Final	This regulation specifically recognizes educational programs that are accredited by the Accreditation Council for Occupational Therapy Education (ACOTE) and other national accrediting agencies. The proposed rulemaking was delivered to IRRC on October 8, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on October 24, 2020; no comments were received; the Board is drafting the final regulation.	Christina Townley (717) 783-1389
Child Abuse Reporting Requirements 49 Pa. Code §§ 42.41, 42.42, 42.45 and 42.47 (# 16A-6719)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Occupational Therapy Education and Licensure obtain required training in child abuse recognition and reporting.	Christina Townley (717) 783-1389
Licensure by Endorsement 49 Pa. Code §§ 42.1, 42.9 and 42.10 (# 16A-6713)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Townley (717) 783-1389
State Board of Optometry			
General Revisions 49 Pa. Code Chapter 23 (# 16A-5213)	Winter 2021, as Final	Section 3(b)(14) of the Optometric Practice and Licensure Act (act) gives the Board the authority to promulgate all rules and regulations necessary to carry out the purposes of the act. Section 5(b) of the act provides the minimal requirements for continuing education of 30 hours in a biennial period for licensed optometrists. The amendments ensure that clear guidance is given to licensees in prescribing contact lenses, reporting continuing education and the standards for accepting commercial support from the providers of continuing education. The proposed rulemaking was delivered to IRRC on February 15, 2019, and subsequently published in <i>Pennsylvania Bulletin</i> on March 2, 2019; the Board has considered the comments received and is drafting the final regulation.	Christina Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 23.111—23.116 (# 16A-5215)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Optometry obtain required training in child abuse recognition and reporting.	Christina Stuckey (717) 783-7155
Licensure by Endorsement 49 Pa. Code §§ 23.27—23.27b (# 16A-5218)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Christina Stuckey (717) 783-7155
<i>State Board of Osteopathic Medicine</i>			
Prescribing 49 Pa. Code § 25.218 (# 16A-5330)	Summer 2021, as Proposed	The State Board of Osteopathic Medicine proposes this rulemaking to set forth the minimum acceptable standards of practice that an osteopathic physician or physician assistant licensed by the Board must follow when prescribing, administering or dispensing drugs, including the requirements of the Safe Emergency Prescribing Act (Act 122 of 2016), the provisions of Chapter 52A of Title 35, relating to prescribing opioids to minors and the provisions of Chapter 51 of Title 35 relating to safe opioid prescription and voluntary non-opioid directives.	Aaron Hollinger (717) 783-4858
Licensure Requirements 49 Pa. Code Chapter 25 (# 16A-5335)	Spring 2021, as Proposed	This proposed rulemaking is needed to address the current transition and ultimate merger of the American Osteopathic Association (AOA), the American Association of Colleges of Osteopathic Medicine (AACOM) and the Accreditation Council for Graduate Medical Education (ACGME), creating a single accreditation system for all graduate medical education.	Aaron Hollinger (717) 783-4858
Child Abuse Reporting Requirements 49 Pa. Code §§ 25.401—25.416 (# 16A-5326)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Osteopathic Medicine obtain required training in child abuse recognition and reporting.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Licensure by Endorsement 49 Pa. Code, Subchapter P §§ 25.1001—25.1008 (# 16A-5336)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Aaron Hollinger (717) 783-4858
<i>State Board of Pharmacy</i>			
Administration of Injectable Medications, Biologicals and Immunizations 49 Pa. Code §§ 27.12 and 27.401—27.407 (# 16A-5429)	Spring 2021, as Final	This rulemaking addresses amendments to section 9.2 of the Pharmacy Act (63 P.S. § 380-9.2) which reduce the age of patients to whom pharmacists can administer influenza immunizations and permit pharmacy interns to administer injectable medications, biologicals and immunizations.	Melanie Zimmerman (717) 783-7156
Child Abuse Reporting Requirements 49 Pa. Code Chapter 27 (# 16A-5430)	Spring 2021, as Proposed	This proposed regulation implements mandatory reporting requirements relating to suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of State Board of Pharmacy obtain required training in child abuse recognition and reporting.	Melanie Zimmerman (717) 783-7156
Licensure by Endorsement 49 Pa. Code §§ 27.25a and 27.25b (# 16A-5432)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Melanie Zimmerman (717) 783-7156
<i>State Board of Physical Therapy</i>			
Early Exam and CE for Clinical Instruction 49 Pa. Code Chapter 40 (# 16A-6522)	Spring 2021, as Proposed	This proposed rulemaking would allow physical therapist students, and physical therapist assistant students, to sit for the requisite examinations up to 90 days prior to graduation from their respective programs. Additionally, this proposed rulemaking would allow physical therapists (PTs) and physical therapist assistants	Michelle Roberts (717) 783-7134

Regulation Being Considered	Proposed Date of Promulgation	Need and Legal Basis for Action	Agency Contact
		(PTAs) who provide clinical instruction to student PTs and student PTAs, at clinical facilities affiliated with accredited programs, to receive a limited amount of continuing education credits for providing clinical instruction to student PTs and student PTAs. Furthermore, the proposed rulemaking will amend the Board's regulations to allow applicants to register for the national examination with the examination provider, without having to first obtain the Board's permission.	
Child Abuse Reporting Requirements 49 Pa. Code Chapter 40 (# 16A-6518)	Fall 2021, as Final	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Physical Therapy obtain required training in child abuse recognition and reporting. The proposed rulemaking was delivered to IRRC on December 9, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on December 19, 2020; the Board will review all public comments received and draft the final regulation.	Michelle Roberts (717) 783-7134
Licensure by Endorsement 49 Pa. Code Chapter 40 (# 16A-6523)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Michelle Roberts (717) 783-7134
State Board of Podiatry			
Continuing Education 49 Pa. Code § 29.61 (# 16A-4417)	Spring 2021, as Final	This proposed rulemaking would reduce the biennial requirement for continuing education, in accordance with the Governor's recommendations for licensure reform; additionally, the rulemaking would provide for the use of distance learning to satisfy the continuing education requirement and provide for exemptions. The proposed rulemaking was delivered to IRRC on May 18, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on June 29, 2020. The Board will review all public comments received and draft the final regulation.	Aaron Hollinger (717) 783-4858

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Child Abuse Reporting Requirements 49 Pa. Code §§ 29.91—29.97 (# 16A-4412)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Podiatry obtain required training in child abuse recognition and reporting.	Aaron Hollinger (717) 783-4858
Licensure by Endorsement 49 Pa. Code Chapter 29 (# 16A-4419)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Aaron Hollinger (717) 783-4858
<i>State Board of Psychology</i>			
Continuing Education 49 Pa. Code § 41.59 (# 16A-6317)	Spring 2021, as Proposed	The Board, in its effort to continually review the efficacy of its regulations, has again reviewed the continuing education regulations and has determined that amendments are needed to update, revise and clarify the continuing education requirements. This proposed rulemaking would amend the requirements relating to home study, instruction and carry over.	Chris Stuckey (717) 783-7155
Code of Ethics 49 Pa. Code § 41.61 (# 16A-6324)	Summer 2021, as Proposed	This proposed rulemaking will update the Board's Code of Conduct to adopt the American Psychological Association's (APA) Ethical Principles of Psychologists and Code of Conduct and various enumerated APA practice guidelines.	Chris Stuckey (717) 783-7155
General Revisions 49 Pa. Code § 41.31 (# 16A-6320)	Spring 2021, as Proposed	This proposed rulemaking will update the Board's regulations to conform to changes made to the Professional Psychologists Practice Act by the Act of June 23, 2016 (P.L. 379, No. 53) (Act 53 of 2016). Act 53 of 2016 clarifies the scope of practice of psychology, grants the Board the power to issue temporary licenses to out of state licensees, revises and removes some of the previous exemptions to licensure, removes the time limitation pertaining to the retaking of the licensure examinations, eliminates the requirement that at least one year of supervised experience be obtained subsequent to the granting of the doctoral degree, gives the Board the ability to bar a suspended licensee from engaging in any other form of counseling or mental	Chris Stuckey (717) 783-7155

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		health practice and requires licensees to report multiple licensure of any other health profession. <i>Statutory Authority:</i> Section 3.2(2) of the Professional Psychologists Practice Act, 63 P.S. § 1203.2(2).	
Child Abuse Reporting Requirements 49 Pa. Code §§ 41.1, 41.42, 41.45 and 41.47 (# 16A-6322)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Psychology obtain required training in child abuse recognition and reporting.	Chris Stuckey (717) 783-7155
Licensure by Endorsement 49 Pa. Code §§ 41.1, 41.52a and 41.52b (# 16A-6326)	Summer 2021, as Final	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses. The proposed rulemaking was delivered to IRRC on December 9, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on December 19, 2020. The Board will consider all comments received and will draft the final regulation.	Chris Stuckey (717) 783-7155
<i>State Board of Certified Real Estate Appraisers</i>			
Licensure by Endorsement 49 Pa. Code §§ 36.226 and 36.227 (# 16A-7024)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Kristel Hennessy Hemler (717) 214-7779

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
Schedule of Fees 49 Pa. Code § 36.6 (# 16A-7025)	Summer 2021, as Proposed	The proposed rulemaking is needed to increase the application and biennial renewal fees to provide sufficient biennial revenue to meet the projected expenditures as required under section 9 of the Real Estate Appraisers Certification Act (63 P.S. § 457.9).	Kristel Hennessy Hemler (717) 214-7779
General Revisions 49 Pa. Code §§ 458.1—458.16 (# 16A-7026)	Spring 2021, as Proposed	This proposed rulemaking will update several provisions, including definitions, permissible and prohibited activity, and qualification of applicants, to conform with the Act 88 of 2020 amendments to the Assessors Certification Act. <i>Statutory Authority</i> : Section (3) of the Assessors Certification Act, 63 P.S. § 458.3.	Kristel Hennessy Hemler (717) 214-7779
State Real Estate Commission			
General Revisions 49 Pa. Code Chapter 35 (# 16A-5616)	Summer 2021 as Proposed	The proposed rulemaking would update the Commission's regulations to reflect changes in the law and practice in the industry, which include advertising and escrow requirements. <i>Statutory Authority</i> : Section 404 of the Real Estate Licensing and Registration Act, 63 P.S. § 455.404. This regulation was formerly entitled "Advertising." The Board decided to expand the regulation to include other general updates.	Krista Linsench (717) 783-3658
Broker Price Opinions 49 Pa. Code, Subchapter J (# 16A-5626)	Spring 2021, as Proposed	The proposed rulemaking implements the act of June 29, 2018 (P.L. 500, No. 75) (Act 75 of 2018) which amended the Real Estate Licensing and Registration Act (63 P.S. §§ 455.101—455.902). The proposed regulations would add a new subchapter which sets forth limitations and requirements for broker price opinions, including required disclosures, signature requirements, permissible uses and required experience and education for brokers, associate brokers and salespersons.	Krista Linsench (717) 783-3658
Licensure by Endorsement 49 Pa. Code § 35.230 (# 16A-5625)	Spring 2021, as Proposed	This rulemaking amends the Commission's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	Krista Linsench (717) 783-3658

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors			
General Revisions 49 Pa. Code Chapters 47—49 (# 16A-6923)	Summer 2021, as Proposed	<p>The Board has undertaken a comprehensive review of its regulations relating to qualifications for licensure, supervision of clinical experience, including the provision of supervision through electronic means, and continuing education. The purpose of this rulemaking is to eliminate outdated provisions, update standards to reflect modern technology and to modernize the Board's processes relating to licensure.</p> <p>This rulemaking also amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.</p>	Sandra Matter (717) 783-1389
Child Abuse Reporting Requirements 49 Pa. Code Chapters 47—49 (# 16A-6919)	Fall 2021, as Final	<p>This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the Board obtain required training in child abuse recognition and reporting.</p> <p>The proposed rulemaking was delivered to IRRC on November 24, 2020 and subsequently published in <i>Pennsylvania Bulletin</i> on January 2, 2021. The Board will consider all comments received and will draft the final regulation.</p>	Sandra Matter (717) 783-1389
State Board of Examiners in Speech-Language Pathology and Audiology			
Licensure by Endorsement 49 Pa. Code §§ 45.601— 45.604 (# 16A-6808)	Spring 2021, as Proposed	<p>This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft</p>	Sandra Matter (717) 783-1389

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	
Child Abuse Reporting Requirements 49 Pa. Code §§ 45.401—45.407 (# 16A-6805)	Spring 2021, as Proposed	This regulation updates the Board's existing regulations relating to mandatory reporting of suspected child abuse under the Child Protective Services Law (CPSL) to conform to recent amendments to the CPSL, including the requirement that all applicants and licensees of the State Board of Examiners in Speech-Language Pathology and Audiology obtain required training in child abuse recognition and reporting.	Sandra Matter (717) 783-1389
<i>State Board of Vehicle Manufacturers, Dealers and Salespersons</i>			
Fees 49 Pa. Code § 19.4 (# 16A-5726)	Spring 2021, as Proposed	This proposed rulemaking would increase application fees and biennial renewal fees for licensees of the Board such that revenues would be sufficient to meet projected expenditures. <i>Statutory Authority:</i> Section 30(a) of the Board of Vehicles Act (Act) (63 P.S. § 818.30(a)) requires an increase in fees when the expenses incurred by the Board to meet its obligations under the Act, including enforcement, exceed revenues.	Janice Cline (717) 772-0483
Out of State RV Dealer Registration Fee 49 Pa. Code § 19.4 (# 16A-6011)	Spring 2021, as Proposed	This regulation would establish a fee for processing applications for out of state recreational vehicle dealers to register with the Board to participate in recreational vehicle shows, off-premises sales, exhibitions and rallies. <i>Statutory Authority:</i> Sections 4(a)(9) and 32.1(c) of the Board of Vehicles Act, 63 P.S. §§ 818.4(a)(9) and 818.32a(c).	Janice Cline (717) 772-0483
<i>State Board of Veterinary Medicine</i>			
Licensure of Euthanasia Technicians and Animal Protection Organizations 49 Pa. Code Chapter 31 (# 16A-5726)	Spring 2021, as Proposed	This proposed rulemaking is necessary to implement the act of October 24, 2012 (P.L. 1452, No. 182) (Act 182 of 2012) which amended the Animal Destruction Method Authorization Law to require the State Board of Veterinary Medicine to register animal organizations and to license euthanasia technicians to permit the organizations to purchase controlled substances and employ euthanasia technicians for the humane euthanasia of small domestic animals.	Michelle Roberts (717) 783-7134
Licensure by Endorsement 49 Pa. Code Chapter 31 (# 16A-5730)	Spring 2021, as Proposed	This rulemaking amends the Board's regulations to implement the act of July 1, 2019 (P.L. 292, No. 41) (Act 41). Act 41 requires licensing boards and commissions to issue a license, certificate, registration or permit to an applicant who holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth and who meet other criteria set forth under Act 41. All licensing boards and commissions under the Bureau of Professional and Occupational Affairs are required to draft	Michelle Roberts (717) 783-7134

<i>Regulation Being Considered</i>	<i>Proposed Date of Promulgation</i>	<i>Need and Legal Basis for Action</i>	<i>Agency Contact</i>
		regulations for the implementation of Act 41 to include methods of determining competency and expiration dates for provisional licenses.	
<i>Department of Transportation (DOT)</i>			
Registration Class Stickers 67 Pa. Code Chapter 55	Spring 2021, as Final	This rulemaking will delete Chapter 55 and eliminate the issuance of weight class stickers. The elimination of these stickers will result in cost savings to the Department and the regulated community.	Scott Shenk (717) 783-4599
Access to and Occupancy of Highways by Driveways and Local Roads 67 Pa. Code Chapter 441	Spring 2021, as Proposed	The Department will be promulgating a regulation to rewrite the entirety of Chapter 441 and to address comments received during the promulgation of an earlier promulgated Chapter 441 regulation redefining the term "owner."	Mike Dzurko (717) 783-6080
Permanent Regulation for RADAR and LIDAR for State Police and Automated Enforcement Systems 67 Pa. Code Chapter 105	Summer 2021, as Proposed	The Department will be promulgating a regulation to define proper testing and calibration of RADAR and LIDAR Systems to be used by state police and automated enforcement systems.	Steve Madrak (717) 783-4597
Intrastate Motor Carrier Safety 67 Pa. Code Chapter 231	Summer 2021, as Proposed	This rulemaking is necessary to waive hours of service limitations imposed by Federal law and other requirements for mass transportation organizations and their drivers, while establishing new requirements consistent with the public interest.	Danielle Spila (717) 787-1208
School Bus Side Stop Signal Arm Enforcement Systems (Permanent) 67 Pa. Code Chapter 171b	Spring 2021, as Proposed	This rulemaking will make temporary regulations permanent as required by Act 159 of 2018.	Laura Krol (717) 346-1907
<i>Office of Administration (OA)</i>			
Office of Administration Civil Service Reform 4 Pa. Code Chapters 608—615	Summer 2021, as Proposed	This proposed rulemaking is needed to implement the requirements of Act 71 of 2018 (P.L. 460, No. 71), commonly referred to as "the Civil Service Reform Act." Act 71 repealed the Civil Service Act of 1941. In accordance with Act 71, functions associated with civil service recruitment and hiring were transferred from the State Civil Service Commission "SCSC" to the Office of Administration "OA." This proposed rulemaking is needed to set forth the requirements and policies for the transfer of duties under Act 71. Act 71 also authorized OA to promulgate temporary regulations to implement the transfer of duties. On March 16, 2019, OA, pursuant to its statutory authority under Act 71, published temporary regulations implementing the transfer of duties from SCSC to OA. According to Act 71, the temporary regulations will expire on March 16, 2022.	Cynthia Williams (717) 783-2590

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